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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/916,677	07/30/2001	Hideki Matsuda	110227	9841
25944	7590	11/05/2003	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			LUU, MATTHEW	
			ART UNIT	PAPER NUMBER

2672

DATE MAILED: 11/05/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/916,677

Applicant(s)

MATSUDA, HIDEKI

Examiner

LUU MATTHEW

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 3-10, 12-17, and 29-30 is/are allowed.
- 6) ☒ Claim(s) 18-28 and 31-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 9,10,13.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 18-21, 23-27, and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Deguchi et al (6,480,202).

Regarding claim 18, Deguchi et al disclose (Figs. 6 and 8) an environment-compliant image display system, which corrects an image based on environment information (col. 7, lines 52-58). The environment-compliant display system comprising: means for storing (Fig. 8, memory section 104) brightness correction information for correcting brightness of the image (col. 6, line 65 to col. 7, line 5), and color correction information for correcting color of the image (col. 7, lines 11-15 and lines 26-29); and

correction means (Fig. 8, image processing section 100) for correcting image information for displaying the image, based on the environment information, the brightness correction information, and the color correction information (col. 7, lines 20-30); and visual environment detection means (a photosensor) for measuring at least one of the color value, gamma, and color temperature of an image that is displayed in the image-displayed area (column 7, lines 11-14 and lines 52-57).

Regarding claim 19, Deguchi et al disclose (Figs. 6 and 8) correction means (Fig. 8, image processing section 100) for correcting image information for displaying the image, based on the environment information, the brightness correction information, and the color correction information (col. 7, lines 20-30).

Regarding claim 20, Deguchi et al disclose a predetermined correction coefficient that is used in a correction of the image information. See column 8, equations (3) and (4).

Regarding claim 21, Deguchi et al disclose (Fig. 8) the image-displayed area is an area on a screen (monitor 103).

Regarding claims 23 and 24, Deguchi et al disclose (Figs. 6 and 8) an environment-compliant image display system, which corrects an image based on environment information (col. 7, lines 52-58). The environment-compliant display system comprising:
means for storing (Fig. 8, memory section 104) brightness correction information for correcting brightness of the image (col. 6, line 65 to col. 7, line 5), and color correction information for correcting color of the image (col. 7, lines 11-15 and lines 26-29); and

correction means (Fig. 8, image processing section 100) for correcting image information for displaying the image, based on the environment information, the brightness correction information, and the color correction information (col. 7, lines 20-30); and visual environment detection means (a photosensor) for measuring at least one of the color value, gamma, and color temperature of an image that is displayed in the image-displayed area (column 7, lines 11-14 and lines 52-57).

Regarding claims 25-27 and 31, note the rejections as set forth above with respect to claims 19-21 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 22, 28 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deguchi et al (6,480,202).

Regarding claims 22, 28 and 32, Deguchi et al further disclose (Fig. 10) a graphics user interface (GUI) input means for inputting the viewing environment information. See column 7, line 59 to column 8, line 4.

Deguchi fails to disclose means for displaying an image that guides to input a type of the screen.

However, "the type of screen" such as the resolution type or color type, etc. is well known in the art to be adjusted by the computer user.

Allowable Subject Matter

Claims 1, 3-10, 12-17 and 29-30 allowed.

Response to Arguments

Applicant's arguments with respect to new claims 18-28 and 31-32 have been considered but are moot in view of the new ground(s) of rejection.

New claims 29-30 are allowed since they depend on the allowed claim 9.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUU MATTHEW whose telephone number is (703) 305-4850. The examiner can normally be reached on 9 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RAZAVI MICHAEL can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

M. Luu
October 31, 2003



MATTHEW LUU
PRIMARY EXAMINER